IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6658 of 2005

Between:

Kothagudem Citizens Recreation Club Private Limited, Rep. by its Secretary, S. Ravinder, S/o. Rajeshwar Rao, Aged about 47 Years,

Kothagudem, Khammam District.

..... PETITIONER

AND

1 The Superintendent of Police, Khammam District at Khammam.
2 The Station House Officer, Kothagudem I Town Police Station,

Khammam District.
3 The Deputy Superintendent of Police, Kothagudem, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or Direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner club as being arbitrary, illegal, unconstitutional and contrary to the judgment of the Hon'ble Supreme Court in State of A.P. Vs. K. Satyanarayana reported in AIR 1968 Sc 825 and in 2002 (5) ALT (DB) page 805 and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner club within the club premises and pass such other order or orders any may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home. Perused the material placed before me.

Petitioner is a club registered under the Societies Registration Act and various activities, which are permissible under law, are being carried on by it for the recreation of its members and one of such activities is playing 13 cards (*Rammi*), with stakes/syndicate. The respondents are interfering with such lawful activity of the petitioner. Therefore, the present writ petition, seeking a writ of mandamus declaring the action of the respondents in obstructing the lawful activities of the petitioner as illegal and arbitrary.

Time and again, this Court categorically held that playing 13 cards (*Rammi*) is not a game of chance, but a game of skill and with betting also it is permissible under law and that the respondents shall not interfere with the playing of 13 cards game. Same is the view taken by a Division Bench of this court in *TWIN CITIES CINEMA CULTURAL CENTRE (FORMERLY TWIN CITIES CLUB) VS. COMMISSIONER OF POLICE* (2002(5) ALT 805 (DB) in Writ Appeal No. 1167 of 2002, dated 29-07-2002.

Having regard to the facts and circumstances of the case, it is not expedient for the respondents to interfere with the lawful activities of the petitioner-club, particularly with the playing of 13 cards game with or without

betting, as it is contrary to the law laid down by the Apex Court as well as by this Court. However, the respondents are at liberty to interfere with the unlawful activities, if any, going on in the petitioner-club and to take appropriate action in that regard.

With the above observations, the writ petition is disposed of at the stage of admission. No costs.

---

kvsn 29-03-2005

To

1 The Superintendent of Police, Khammam District at Khammam.

2 The Station House Officer, Kothagudem I Town Police Station,
Khammam District.

3 The Deputy Superintendent of Police, Kothagudem, Khammam District.

4 Two CCs to GP for Home, High Court buildings, Hyderabad.

5 Two CD copies.